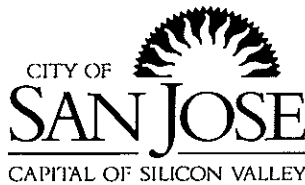


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San Jose City Clerk

2007 JAN 25 P 5:20



Memorandum

TO: City Council**FROM:** Mayor Chuck Reed**SUBJECT:** Reed Reforms**DATE:** January 25, 2007

Approved

Date

1/25/07

RECOMMENDATIONS

(A) Approve and Direct staff to implement the following Reed Reforms:

1. Amend the municipal code to require elected officials to disclose all meetings previously held with a project's lobbyist and/or representative when the project is heard before the council.
2. Amend the municipal code to require lobbyists to disclose to any city officials what their success fees are for a project during meetings to discuss the project. Also, require lobbyists to disclose success fees on their quarterly reports.
3. Direct staff to implement a policy for reviewing industrial conversion amendments once a year. The review will be held in October and November with hearings by the Planning Commission and City Council respectively. There will be a one-time exception this year in May for hearing of general plan amendments for industrial land conversions that were submitted prior to January 1, 2007.

It is recommended that a study session on industrial conversion be scheduled in March of this year and annually thereafter. At that review it is recommended that topics to be discussed include the history of conversions over the last 25 years, the inventory of industrial land, a staff initiated preliminary review of potential conversions and General Plan Amendments submitted before January 1, 2007. This discussion will enable the City Council to forward appropriate project sites to the May or Fall hearing.

OUTCOME

Allow City Council to hold a discussion and take action on the Reed Reforms.

BACKGROUND

In addition to proposing the Reed Reforms, I also created a transition subcommittee for government reform and ethics. This subcommittee of 10, was chaired by Councilmember Dave Cortese, and included Councilmembers – elect Pete Constant and Sam Liccardo. The group issued its report earlier this month which made recommendations on a number of issues including lobbyist reforms. Three of these reforms can be implemented now.

ANALYSIS

Lobbyist Reform - The first recommendation relative to lobbyists requires councilmembers to treat meetings with lobbyists the same way we treat meetings with any interested party in quasi-judicial actions. Last year we amended the City Council Policy for administrative hearings to require that councilmembers publicly state, either by a memo in advance, or by disclosure at the hearing if they have had communications with any interested party. This type of disclosure should be extended to interaction with a lobbyist on all issues that appear before the Council.

Success fees in some cases have become so large that it is appropriate for lobbyists to disclose the existence and size of success fees at any meeting with a public official on an issue for which they have been retained. Additionally, lobbyists should be required to disclose success fees on their quarterly reports.

Industrial Conversion - The issue of industrial conversion continues to undermine our economic development program and put additional strain on the City budget. I am recommending that we identify how much of our industrial property has been converted over the last 24 years. This will be valuable information as we determine how to move forward on this issue.

Dealing with the issue of industrial conversion several times a year is counterproductive and makes it impossible for us to deal with this issue in a comprehensive manner. We should look at this issue only once a year.